REMARKS/ARGUMENTS

Claims 1-30 are pending in this application. Claims 15, 17-20, and 23 have been amended. It is respectfully submitted that no new matter has been added.

Claims 15-20 and 23-27 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,210,829 to Haim Bitner ("Bitner").

Claim Rejections under 35 U.S.C. §102(b)

Claims 15-20 and 23-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Bitner. Bitner discloses a tape drive with an electronic buffer that temporarily stores data transferred between the host computer and the tape driver's magnetic tape. During a write transaction, in which the host computer sends data to the tape for storage, the buffer receives that data sent over the system bus by the host computer, and it temporarily stores the data until the tape mechanism has ramped up to its write velocity. The buffer has an adjustable threshold, otherwise known as a "watermark," which determines the level of data that must be present in the buffer before the mechanical assembly of the tape drive will begin to ramp the tape up to its write velocity. When the write velocity is achieved, the data in the buffer is transferred onto the tape, and the buffer is emptied so that it may receive additional data. (*See* Abstract).

These rejections are traversed, in part, because the cited reference fails to teach or suggest features of the presently claimed invention for loading a memory buffer as recited in the claims. For example, Bitner fails to teach or suggest receiving an advance indication signal of a memory service interruption by a memory controller, as recited in amended claims 15, 19, and 23.

Bitner does not teach an apparatus that receives an actual advance memory service interruption signal that causes the modification of the watermark. Instead, Bitner teaches that

the watermark level is changed subsequent to every tape read/write operation. The ability of the apparatus in the present invention to receive an advance indication signal of a memory service interruption, among other things, distinguishes the present invention from Bitner. Such an advance indication signal allows the memory controller to either increase or decrease the rate of data input to the memory buffer to handle the worst case latency to memory. Therefore, Applicant respectfully traverses the rejections to allowable independent claims 15, 19, and 23, and claims 16-18, 20, and 24-27, which ultimately depend from allowable independent claims 15, 19, and 23 respectively.

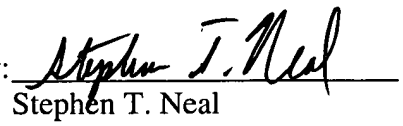
In view of the amendments and remarks above, reconsideration and withdrawal of the rejection of claims 15-20 and 23-27 under 35 U.S.C. § 102(b) is respectfully requested.

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **11-0600**.

Respectfully submitted,

Dated: July 8, 2004

By: 
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